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LETTER DATED 27 MAY 1999 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to convey for your information the attached communication, dated 22 May 1999, which I have received from the Chairman-in-Office of the Organization for Security and Cooperation in Europe (OSCE) (see annex). The enclosed report on the situation in Kosovo is submitted pursuant to Security Council resolutions 1160 (1998) of 31 March 1998 and 1203 (1998) of 24 October 1998 and in compliance with the Council's wish to be kept informed on the situation in Kosovo.

I should appreciate your bringing this communication to the attention of the members of the Security Council.

(Signed) Kofi A. ANNAN

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Annex

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Letter dated 22 May 1999 from the Chairman-in-Office of the Organization for Security and Cooperation in Europe addressed to the Secretary-General

Reference is made to my letter of 16 February 1999 concerning the contributions of the Organization for Security and Cooperation in Europe (OSC to the reporting on the situations in Kosovo pursuant to the requirements set out in Security Council resolutions 1160 (1998) and 1203 (1998).

I hereby enclose the report covering the period mid-April to mid-May 199 on the situation in Kosovo and on the activities of OSCE. Please note that, since the temporary withdrawal of the OSCE Kosovo Verification Mission, verification of cooperation and compliance inside Kosovo has not been possibl Hence the report does not include a separate chapter on those issues.

(Signed) Knut VOLLEB

Enclosure

Monthly report on the situation in Kosovo pursuant to the requirements set out in Security Council resolutions 1160 (1998) and 1203 (1998)

Mid-April-mid-May 1999

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The information on the situation in Kosovo contained in this report has been received from a variety of sources within Kosovo. These include OSCE KVM contacts, the media and other organizations concerned with developments in the Province. The information has not been substantiated or verified by the OSCE KVM.

I. General Situation

The Kosovo Verification Mission (KVM) continued operations in the former Yugoslav Republic of Macedonia and in Albania. The Mission headquarters in Skopje consists of management, administrative and Regional Centre elements; and KVM's Albanian and Macedonian Task Forces continued to assist UNHCR with the refugee influx from Kosovo.

The refugee flow from Kosovo has remained relatively constant. Whilst the refugee camps and associated administrative structures remain under severe pressure, the management of these facilities is improving. A disturbing development was the closure in early May of the Macedonian border, said to be a temporary measure by the Macedonian authorities. Following this decision, the Kosovo Albanian refugee influx sharply decreased despite the subsequent reopening of the border.

The Yugoslav Army (VJ) Supreme Command announced a partial withdrawal of forces from Kosovo on 10 May. The head of the so called Kosovar Albanian "interim Government" and leader of the Kosovo Albanian delegation to Rambouillet, Hasim Thaci, told the Kosava Press on the 11th May that the claimed withdrawal of Serbian forces was deception, claiming that they were merely re-grouping to avoid NATO air strikes. KLA sources further alleged that fighting continued, particularly near the towns of Junik and Djakovica, in the south-west of the Province near the FRY-Kosovo border with Albania. This area remained a focus of conflict throughout May, following the declared desire of the KLA to maintain a re-supply corridor from Albania into Kosovo.

President Milosevic's position remained unchallenged. Vuk Draskovic was removed from his post as FRY Deputy Prime Minister after he stated to the press on the 27th April that the state of war suits "some in the country" who would like this situation to become a permanent state of affairs. The Serbian Radical Party (SRS) leadership said on 27th April that the authorities would take prompt measures against what it called the country's few "assistants of the NATO aggression".

Security Situation.

At the beginning of the reporting period, KLA sources suggested that Serbian security forces were dispersing ground assets, thus evading NATO air strikes within Kosovo. This dispersal away from barracks, many of which were presumably destroyed, appears to have been facilitated by the forced expulsion of Kosovo Albanian people from their homes, homes subsequently occupied by Serbian security forces.

On the 20th April media reports suggested that several hundred FRY soldiers entered three villages inside Montenegro close to Kosovo, and opened fire on Kosovo Albanian refugees who had been seeking refuge. This action prompted the remainder to flee. According to the Montenegrin Deputy Prime Minister Dragisa Burzan, at least six people were killed. Burzan said that a crime had been committed in the village, which could not be branded a military operation, because women were amongst the dead. Burzan insisted that the VJ hand over the perpetrators of these "murders" to the civilian authorities.

The News Agency Kosova Press, known to be close to the KLA, reported fighting on 22nd April in the region of Kosare, an area close to the Albanian border. This action followed claims by the KLA that they had control of a border area that connected the villages of Junik, Kosare, Botusa and Bolic. This is a border region located between the Kosovo towns of Decani and Djakovica in the South-West of Kosovo with Junik, long a symbol of Kosovo Albanian nationalism, coming under intense pressure. The fighting in this region endured throughout the reporting period and was confirmed by information given by VJ sources to the Belgrade media.

New areas of conflict between the Serbian security forces and the KLA emerged, such as the area of Gnjilane to the east of Pristina, which, prior to the NATO air strikes, had remained untouched by conflict. Elsewhere, according to Albanian sources in the former Yugoslav Republic of Macedonia, fighting had spread to other more central areas such as the region between Prizren and Suva Reka, and Lipjan and Urosevac.

The so-called "interim Government" of the Kosovo Albanians reportedly issued a decree forming a National Guard. This came at the same time as key changes appeared to have taken place within the KLA General Staff. KLA sources reported that Suleiman Selimi, formerly the KLA Chief of Staff, was appointed Commander of the National Guard. Meanwhile, Agim Ceku, a former Croatian Army (HV) officer, had been appointed KLA Commander.

On 4th May, Albanian State television claimed that Serbian security forces had started arresting Kosovo Albanian NGO leaders including Flora Provina, a human rights activists. The television report based its story on information provided by a reliable source in Pristina. The same source also claimed that Albin Kurti had been arrested. Kurti was formerly a Kosovo Albanian student leader and more recently the assistant and advisor to Adem Demaci. Demaci, who was formerly the political representative of the KLA, was also reportedly arrested but then released in Pristina a few days later.

Political Situation.

In Belgrade, the Kosovo Albanian leader Ibrahim Rugova met FRY President Milosevic and other Serbian leaders on several occasions. A close aide of Rugova stated that Rugova was in FRY against his will and was under virtual house arrest in Pristina with members of his family. Criticism against him from across the Kosovo Albanian political spectrum became more vociferous. In a surprise move FRY authorities allowed Rugova to leave FRY for Italy. Some sources speculate that FRY authorities believe that he will return to Yugoslavia, based on an assumption that he risks damaging his political career by staying away.

Fehmi Agani, a Kosovo Albanian delegate to Rambouillet and Paris, attempted to depart from FRY for the former Yugoslav Republic of Macedonia. Departure was not possible due to the closure of the Macedonian border. In the course of his return to Pristina he was allegedly taken into police custody and subsequently killed. Details of this incident remain unclear.

In what appeared to be the first statement by a FRY official questioning the tactics of the FRY military authorities tactics, Velimir Ilic, the Mayor of the Serbian town of Cacak, on the 11th May accused FRY military authorities of endangering the lives of local civilians by moving soldiers and military vehicles into and near civilian facilities. He said this in connection with the killing of four and wounding of 13 civilians in a NATO air attack on Cacak on 10th May.

NATO struck the Chinese Embassy in Belgrade in error on the evening of the 7th May with three missiles, killing four and injuring some 26 others. In response to the attack the FRY Government stated that "the FRY expects the UN Security Council, as well as the whole international public, to condemn severely this cruel act and to demand that those who gave the order should be adequately punished".

Former UN envoy to Yugoslavia, Yasushi Akashi, said on 10th May that he had discussed the structure of a future international civilian and security presence in Kosovo with FRY President Milosevic in Belgrade. According to Akashi, Milosevic wants the peace forces to be under UN auspices and armed only with side arms for self-defence. Milosevic thinks that a possible mission should equal the size of the OSCE KVM. Belgrade media reported that Akashi was in Belgrade on a private visit.

The Montenegrin Government's defiance of Belgrade continued. Members of the Moutenegrin Government stated that Montenegro would not accept Belgrade's decision on a state of war and summary criminal procedure. President Milo Djukanovic sent a public message to FRY citizens on FRY "Statehood" day 27th April levelling a number of accusations against the Federal authorities. Djukanovic assessed that the Kosovo problem had put in question the very existence of the Federal Republic of Yugoslavia because of the FRY leadership's "incompetence" in resolving the problem. However, the Montenegrin President also repeated his demand that NATO should put an end to what he called its "arrogant" policy of air strikes against the FRY.

Humanitarian Situation.

FYROM: The refugee flow from Kosovo across the FRY-Macedonian border has maintained severe pressure on the already stretched resources of refugee camps. A new camp in Cegrane, south west of Skopje, was filled in a matter of days and its population now exceeds the original estimates. By the 5th May, the number of refugees crossing the Macedonian border led to the Macedonian authorities closing their border with Kosovo. This meant that approximately 1,000 Kosovo Albanian refugees had to leave the border area and return in the direction of Pristina. Following negotiations between UNHCR and the Macedonian authorities the opening of the border was agreed on 6th May. UNHCR attempted to take advantage of the lull by hastily erecting further tents at the Blace transit camp in anticipation of a further influx of Kosovo Albanian refugees. Over the night of the 8th-9th May, a total of 68 Kosovo Albanian refugees crossed the Macedonian border from Kosovo via the mountains in the Jazince area (not an official border crossing point). The numbers who crossing the Macedonian border from Kosovo remain small, although about 1,000 refugees crossed on the 16th May. OSCE estimates that there are approximately 232,000 refugees from Kosovo in Macedonian territory.

Albania: On the 18th April, the Albanian Government, together with NATO and other international partners, initiated plans to move large numbers of refugees from Kukes in the north of the country. Before the present crisis the population of Kukes was about 23,000; there are currently 130,000 people in the area in nine refugee camps and with host families. Tens of thousands of refugees were to be flown by helicopter and trucked to four large reception centres in other parts of the country. On the 19th April however, the plan was modified. Refugees were to be moved at a slightly slower pace into previously planned camps that were nearing completion. It was hoped that this would provide a better standard of accommodation and allow more time to adequately prepare other sites. The OSCE KVM Albania Task Force was able to report on 26th April that, with no major influx of refugees into Albania, it had been possible to reduce the number of people staying in the Kukes area by moving refugees elsewhere in the country. Nevertheless, there

remains a fundamental reluctance amongst many of the refugees to be moved from Kukes. OSCE estimates that there are approximately 441,000 refugees from Kosovo in the country.

An initiative to move Kosovo Albanian refugees from the former Yugoslav Republic of Macedonia to Albania has had a faltering start. On the 9th April, initially only 14 volunteers from the refugee population amongst the Macedonian refugee camps wished to transfer to Albania. This number has risen, but not significantly.

Human Rights Issues.

KVM's Human Rights division evacuated the bulk of human rights files from Kosovo and destroyed the remainder. These files are now being catalogued and analysed. The Human Rights division has continued its work since the Mission's withdrawal from Kosovo on March 20 1999. Further information concerning human rights has been collected in over 1,200 meetings with refugees in Albania and in the FYROM, and a detailed report collating this information will be issued by the Mission in late July. A further report will be distributed in October.

Kosovo Conflict Spillover Potential.

The OSCE Presence in Albania, the OSCE Spillover Mission to Skopje and the OSCE Missions to Bosnia and Herzegovina and to Croatia continued to follow closely the Kosovo conflict spillover potential.

The crisis in Kosovo has directly affected the situation in Bosnia and Herzegovina. The OSCE Mission evacuated its offices in Republika Srpska (RS) due to the tense political situation. The dismissal of RS President Poplasen, the Brcko arbitration decision and NATO's bombing campaign collectively caused a deterioration of the security situation in the entity. There has been some improvement latterly and the Mission has begun to re-open its offices in the RS. The security situation is expected to remain stable so long as no major shift in strategy occurs in NATO's campaign against Yugoslavia: any commencement of ground operations is likely to cause commensurate instability in the RS. The RS's economy, always weak and closely linked with Serbia's, remains paralysed by the situation in the FRY following the start of NATO's air campaign.

According to the Albanian Ministry of Local Government, more than 450,000 refugees have entered Albania since the start of the current crisis. The average daily figure during the second half of April was around 4,000. However, the flow of refugees through the different border posts has been fluctuating during the reporting period and in particular since 17/18 April, coinciding with the breaking of relations by the FRY and increased military activity on the border.

The number of refugees remaining in the Kukes Prefecture remained a concern due to the upsurge in border incidents to the north, the difficulty of aid distribution, and the need to make effective provision for new arrivals. Elsewhere in the country the situation appeared more or less under control, though the standard of collective accommodation, and sanitary conditions in particular, varies considerably from camp to camp. NATO's Humanitarian Advance Force (AFOR) became officially operational on 24 April, mainly in a transport and logistics role pending the arrival of the full force contingent. Sites were identified for up to 50,000 refugees in tented accommodation in various parts of the country.

The Albanian Prime Minister, Mr. Pandeli Majko, reiterated the Government's determination to accommodate all refugees in Albania, and stated he expected the figure to rise soon to at least

500,000. According to the Albanian Finance Ministry estimates, the cost in lost revenues and diversion of regular expenditure alone, of 400,000 refugees until the end of 1999 will be around $220 million. All regular budgetary expenditure has been cut by 70%. Although the Government has expressed satisfaction at Albania's share of international budgetary support packages for the region, officials have stated that further budgetary and other support will be needed.

Security at campsites generally deteriorated during the reporting period with increasing reports of theft, cases of looting and various forms of extortion, kidnappings and soliciting for prostitution in refugee camps. Requests for additional manpower by a number of police chiefs went unheeded. The OSCE Presence and KVM-Refugee Task Force Security teams continued to monitor these situations and to bring incidents to the notice of local and central authorities.

The situation along the north-eastern border with FRY in the Has and Tropoje Districts was characterised by a pattern of regular mortar and small arms fire on or near isolated Albanian border crossing points. In many cases, this was followed by limited incursions of FRY troops into Albanian territory, during which Albanian border posts were damaged or destroyed and mines were laid along the borderline or just inside Albania. These actions took place against a background of continuing FRY/KLA engagement, particularly in the Koshare region on the FRY side of the border, and periodic NATO air strikes in the same areas. The most serious incident took place on 1 May 1999 when the village of Gurpali (200 metres inside Albanian territory) was attacked by FRY troops during the night and several houses were set alight.

The presence of Kosovo Liberation Army fighters was constant in northern Albania during the reporting period. KLA dead and wounded fighters were regularly brought across the border to Bajram Curri hospital and evacuated to Tirana by Albanian Army helicopters.

Albania's close alignment with NATO over the Kosovo conflict was underlined in a series of high level visits and statements by Albanian Government representatives. Addressing a meeting of ruling Socialist Coalition partners on 24 April, PM Majko described Albania as having 'the most powerful international lobbies' on its side, being well on its way towards NATO and WTO membership and an association agreement with the EU, and having its foreign debt frozen or written off.

As regards Kosovo, President Meidani said in various statements, including his address to the Council of Europe Parliamentary Assembly, that the province should 'for an interim period' become an international protectorate guaranteed by a NATO-led international military presence, with an international civilian presence comprising EU, OSCE, CoE and UNESCO. Meidani also referred to 'EU Protectorate' status as a possible interim solution for both Kosovo and Montenegro, in the framework of new regional security and economic arrangements to assist post-war recovery and ruled out the partitioning of Kosovo, claiming that the first victim of this would be the former Yugoslav Republic of Macedonia.

The issue of disunity amongst Kosovo political forces came more to the fore, following a visit to Tirana by Mr. Bukoshi on 17/18 April, during which he presented himself as the leader of the legitimate government-in-exile - a claim rejected by the Tirana Government. FM Milo responded by calling on all political factions to unite and forget their 'pretensions and quarrels', pointing out that the Thaci provisional Government was the product of Rambouillet and as such accepted by the international community. Subsequent statements by the Chairman of the Foreign Affairs Commission of the Parliament, Godo, suggested a more conciliatory approach, appealing to all Kosovo factions to form a common platform. On 29 April, FM Milo announced that the

Government would invite their representatives 'in Prishtina, Skopje and Bonn' to Tirana to co-ordinate strategies.

According to UNHCR, by mid-May there were more than 240,000 Kosovo refugees in the former Yugoslav Republic of Macedonia, half of them accommodated with host families and the rest in transit centres, border communities and elsewhere in the country. Most of the refugees arrived through the Blace crossing station although significant numbers continued to cross illegally into the country over the mountains to reach the border villages north of Skopje.

The Macedonian authorities announced on 5 May 1999 that, in view of the alarming situation of the refugees in the country and ever increasing numbers arriving at the border, it would allow entry to more refugees only to the extent equivalent numbers were evacuated to third countries. The Macedonian authorities also expressed disappointment with the pace of humanitarian evacuations by air to third countries.

Regarding security, the discovery of KLA arms caches in the border areas and a suspected KLA operations base in an abandoned mine caused concerns that the KLA may be freely operating in the country. The President of the DPA, the ethnic Albanian coalition partner, Arben Xhaferi, while confirming the existence of KLA members in the country, said that the political decision had been made for the KLA not to take any action which could destabilise the country.

The Macedonian President and members of the Government reiterated the position that no hostile military actions against neighbouring countries would be permitted from the Macedonian territory.

There have been no major changes in the security situation in the Croatian Danubian Region during the reporting period. The OSCE Mission's Police Monitoring Group reports that no significant incident that can reasonably be attributed to events occurring in FRY has been recorded in the Region. Nevertheless, among local Serbs and Hungarians in the Danube Region there has been an increase in feelings of insecurity and isolation due to the increase in air strikes against targets in neighbouring Vojvodina and the damage to and closure of three out of four bridges connecting Croatia and Vojvodina. Moreover, a series of recent measures taken by Croatian authorities in the Danube Region, apparently unconnected to but coinciding with the conflict in FRY are exacerbating such feelings. These recent events have contributed to the decline in confidence of the Serb community in the authorities' commitment to the full integration of their community into Croatia. The Serb National Council publicly expressed its concerns at a press conference held in Zagreb on 22 April.

The Croatian Government announced that it would accept 5,000 refugees from Kosovo, in addition to those Kosovo Albanians already present in Croatia, under the Humanitarian Evacuation Programme managed by the UNHCR and in accordance with international humanitarian standards. The Government also reaffirmed its commitment to stand by its obligations with regard to the 1951 Convention on the Status of Refugees and other relevant international documents and that it will elaborate procedures for the reception of ethnic minorities from Serbia seeking protection in Croatia; will agree to the unification of families displaced from Kosovo with relatives in Croatia; and will regularise the status of those Kosovo Albanians already in Croatia.

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II. OSCE Activities

Activities of the Chairman-in-Office and the Permanent Council.

The Chairman-in-Office (CiO) Knut Vollebæk addressed the PC on 28 April, following a meeting of the OSCE Ministerial Troika in Vienna the same day. He noted the sharp deterioration of the situation in Kosovo and emphasising the pressing need for a rapid solution if a commensurate regional deterioration was to be avoided. Stressing that a regional approach was key, he welcomed the EU Presidency's initiative in developing a strategy for regional stabilisation. He underlined the need for a considerable improvement in the OSCE's ability to support field operations and called for a strengthening of the Organisation's operational structures.

The Chairman-in-Office travelled to New York on 4 May where he had consultations with UN Secretary General Annan and with Russian Special Envoy Chernomyrdin concerning Kosovo. On 6 May the Chairman-in-Office stated that the Chairmanship were considering the role of the OSCE in the framework of the Stability Pact for South Eastern Europe which was being developed by the EU. The Chairmanship has kept close contact with the German EU Presidency on this issue. The Chairmanship has also carried out consultations with the UN on the issue of implementation of a political settlement for Kosovo, in which the OSCE should play a key role with respect to as regards civil society building, including institution- and democracy building, and preparation and supervision of elections.

Several of the Deputy Directors of the KVM addressed the Permanent Council or the so called Watch Group in Vienna on their departure from the Mission. They all submitted highly useful and constructive contributions to the ongoing planning for a new OSCE Mission to Kosovo.

On 12 May the High Commissioner on National Minorities, Max van der Stoel, issued a warning at the Permanent Council concerning the situation in the FYROM. The Representative on Freedom of the Media briefed the Council on a recent visit to the FYROM.

OSCE KVM Operations.

The tasks set for the core mission remains planning and preparation in anticipation for the re-deployment of a new OSCE Mission back to Kosovo. In addition to these tasks the Mission continues to contribute its resources to the humanitarian efforts of UNHCR to assist the Kosovo Albanian refugees. For much of the reporting period, the Mission has assisted the UNHCR in the management of the UNHCR Co-ordinating centre located at the UNHCR HQ in Skopje. Other personnel have been engaged in the monitoring of the three FRY Kosovo/Macedonian border-crossing points for any new influx of personnel. Assistance has also been given in the management of the Stenkovec Refugee complex.

The OSCE KVM Albania Task Force continues its efforts throughout the whole of Albania with a presence in all of the twelve Prefectures (municipalities). Each Prefecture has different difficulties and challenges and the Task Force is able to alert specialist agencies to their needs and concerns. In addition, it provides logistic and administrative support to UNHCR.

Following an assessment of KVM current tasks, it has been decided by the OSCE Chairman-in-Office to gradually reduce assistance to the running of refugee camps. This would assist the Mission in reducing its manpower to approximately 250 personnel from its present total of 327 international staff. (This figure includes the Mission "core", and the Albanian and Macedonian Humanitarian Task Forces).